

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

VERSUS

CRIMINAL NO. 1:00cr38WJG-1

ISIAH AMBO

ORDER GRANTING MOTION FOR SENTENCE REDUCTION

THIS MATTER is before the Court on the amended motion [176] filed by the Federal Public Defenders Office [FPD] on behalf of Defendant Isiah Ambo for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) based upon recent amendments to the sentencing guidelines applicable to offenses involving cocaine base, and the subsequent decision by the United States Sentencing Commission to make this amendment retroactive, pursuant to United States Sentencing Guideline section 1B1.10 effective March 3, 2008. Also pending before the Court are Defendants motions to proceed *in forma pauperis* [IFP], for appointment of counsel, and for sentence reduction under the guideline amendments, (Ct. R., Docs. 167, 168, 169); FPD's original motion for sentence reduction, (Ct. R., Doc. 172); and Defendant's motion to remove FPD George Lucas as counsel, (Ct. R. 173.)¹

The Court, in its administrative order entered March 11, 2008, (Ct. R., Doc. 171), appointed the Federal Public Defenders office to represent this Defendant. This appointment renders Defendant's motion to proceed IFP and his motion for appointment of counsel moot. Upon review of Defendant's motion to remove Federal Public Defender George L. Lucas as counsel and Mr. Lucas' response, the Court finds that Defendant's motion is not well taken and shall be denied. Mr. Lucas will remain as counsel for the sole purpose of representing

¹Defendant has filed a subsequent *pro se* motion for sentence reduction, (Ct. R., Doc. 174), raising issues outside the scope of the guideline amendments which will be addressed in a separate order at a later date by this Court.

Defendant's interests in light of the guideline amendments.

The Court has considered the recalculation of Defendant's sentencing as submitted by the United States Probation Office and the record in this matter, and finds that Defendant's sentence should be reduced to 235 months. Both the Federal Public Defenders Office and the United States Attorneys Office have submitted written concurrence with this calculation. It is, therefore,

ORDERED AND ADJUDGED, that the amended motion [176] filed by the Federal Public Defenders Office on behalf of Defendant Isiah Ambo for sentence reduction be, and is hereby, granted. It is further,

ORDERED AND ADJUDGED that Defendant's sentence be, and is hereby, reduced from 240 months to 235 months. It is further,

ORDERED AND ADJUDGED that Defendant's motions for leave to proceed IFP [167] and for appointment of counsel [168] be, and are hereby, denied as moot. It is further,

ORDERED AND ADJUDGED that Defendant's sentence reduction as a result of the FPD's amended motion renders his *pro se* motion [169] for sentence reduction as well as the FPD's original motion [172] moot, and they are hereby denied. It is further,

ORDERED AND ADJUDGED that all other terms and provisions of the original judgment, (Ct. R., Doc. 101), remain in full force and effect.

SO ORDERED AND ADJUDGED this the 25th day of July, 2008.

Walter J. Gax III
UNITED STATES SENIOR DISTRICT JUDGE